

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

JOHN W. KAMMIN, individually,	X	
	)	
	)	
Plaintiff,	)	
	)	Case No.: 07 CV 2665
v.	)	
	)	Judge Ronald A. Guzman
SMARTPROS, LTD., a Delaware corporation,	)	
	)	
Defendant.	)	
	X	

**NOTICE OF MOTION**

TO: Steven L. Baron  
Keith E. Allen  
MANDELL MENKES, LLC  
333 West Monroe Drive, Suite 300  
Chicago, Illinois 60606

**PLEASE TAKE NOTICE** that on August 9, 2007 at 9:30 a.m., or as soon thereafter as counsel may be heard, we will appear before the Honorable Judge Ronald A. Guzman, in Courtroom 1219 of the United States District Court for the Northern District of Illinois, Eastern Division, 219 South Dearborn Street, Chicago, Illinois 60604, or any judge sitting in his place and stead, and then and there present the *Plaintiff's Motion to Strike Affirmative Defenses Pursuant to Federal Rules of Civil Procedure 8(a), 9(b) and 12(f), and to Dismiss Counterclaims Pursuant to Rules 9(b) and 12(b)(6)*, a copy of which is attached hereto and hereby served upon you, at which time you may appear and participate as you see fit.

Dated: Chicago, Illinois  
August 2, 2007

JOHN KAMMIN,

Kenneth J. Ashman  
Neal D. Kitterlin  
ASHMAN LAW OFFICES, LLC  
55 West Monroe Street, Suite 2650  
Chicago, Illinois 60603  
(312) 596-1700 (ph)

By: /s/ Kenneth J. Ashman  
One of his Attorneys

**CERTIFICATE OF SERVICE**

Kenneth J. Ashman, an attorney, hereby certifies that he caused a copy of the foregoing *Plaintiff's Motion to Strike Affirmative Defenses Pursuant to Federal Rules of Civil Procedure 8(a), 9(b) and 12(f), and to Dismiss Counterclaims Pursuant to Rules 9(b) and 12(b)(6)* to be served on August 2, 2007, upon the following via electronic filing:

Steven L. Baron  
Keith E. Allen  
MANDELL MENKES, LLC  
333 West Monroe Drive, Suite 300  
Chicago, Illinois 60606

/s/ Kenneth J. Ashman  
Kenneth J. Ashman